

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MAY 16, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Ray Stevens

Commissioners Absent: Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Patricia Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, May 9, 2006.**

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting held on May 9, 2006. Stevens, Workman and Heier voted aye. Schorr abstained from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to the Lincoln Chapter of the Omaha Metro Guardian Conservators.

B. Recognition of County Employees' Service Anniversaries.

The County Board recognized employees who have served the County for 10, 15, 20, 25, 30 and 35 years.

3) **CLAIMS:** Approval of all claims processed through Tuesday, May 16, 2006.

MOTION: Workman moved and Heier seconded approval of all claims processed through May 16, 2006. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. An application for Corporate Manager for Holly Christine Horsham and a new application for a Class I (Spirits, Wine, Beer, On Sale Only) liquor license from Ely's Service, Inc. d/b/a Marina Bay Grill (formerly Castaways Bar & Grill on Branched Oak) located at 10005 West Davey Road, Raymond, Lancaster County, Nebraska.

The Chair opened the public hearing and asked if anyone wished to provide testimony.

The Clerk administered the oath to John Phillips, President of Ely's Service, Inc. d/b/a Marina Bay Grill, and Holly Christine Horsham, applicant for Corporate Manager.

Horsham stated she has been in the restaurant business for 45 years and that she previously worked as the manager for P.O. Pears on the Lake.

Phillips indicated he also has the marina at Branched Oak Lake and holds a Class "B" (Beer Off Sale Only) liquor license.

In response to a question asked by Schorr, Horsham indicated she has completed the hospitality course offered through the Health Department.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was recessed for one week.

5) **OLD BUSINESS:**

- A. **A resolution in the matter of County Change of Zone No. 05063, from AG Agricultural District to AGR Agricultural Residential District, requested by Steven Schmidt, on property generally located southeast of the corner of North 105th Street and Alvo Road/Highway 34 in Lancaster County, Nebraska. (R-05-0140) (Remove from pending on May 2, 2006.)**

Ray Hill, Planning Department, gave a brief overview of the change of zone.

MOTION: Workman moved and Stevens seconded approval of a resolution in the matter of denying County Change of Zone No. 05063, from AG Agricultural District to AGR Agricultural Residential District, requested by Steven Schmidt, on property generally located southeast of the corner of North 105th Street and Alvo Road/Highway 34 in Lancaster County, Nebraska. Heier, Workman, Stevens and Schorr. Motion carried.

6) **NEW BUSINESS:**

- A. **An application for a Special Designated License from Slapshotz Bar & Grill to provide liquor beverage service at adult softball tournaments to be held at the Star City Optimist Youth Foundation, located at 5300 South Folsom Street, Lincoln, Lancaster County, Nebraska beginning on Saturday, May 27, 2006 and ending on Monday, May 29, 2006. Hours of operation will be from 10 a.m. to 8 p.m. all three days.**

Joe Ruiz, applicant, gave a brief overview of the application, noting they would have mixed drinks in addition to keg beer.

MOTION: Stevens moved and Heier seconded approval of an application for a Special Designated License from Slapshotz Bar & Grill to provide liquor beverage service at adult softball tournaments to be held at the Star City Optimist Youth Foundation, located at 5300 South Folsom Street, Lincoln, Lancaster County, Nebraska beginning on Saturday, May 27, 2006 and ending on Monday, May 29, 2006. Hours of operation will be from 10 a.m. to 8 p.m. all three days. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

- B. A resolution directing the County Engineer to conduct a study regarding vacating the 25 feet of right-of-way adjacent to the east line of Lot 6, Irregular Tract, and the west line of Lots 8 and 9, Block 3 of Gieren's First Addition, Walton, Lancaster County, Nebraska. (R-06-0048)**

MOTION: Heier moved and Workman seconded approval of Resolution 06-0048 directing the County Engineer to conduct a study regarding vacating the 25 feet of right-of-way adjacent to the east line of Lot 6, Irregular Tract, and the west line of Lots 8 and 9, Block 3 of Gieren's First Addition, Walton, Lancaster County, Nebraska. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

- C. A resolution denying the vacation of a portion of George Street and adjoining alleys that are within the unincorporated area of Agnew, located in the Southwest 1/4 of Section 12, Township 12 North, Range 5 East, Lancaster County, Nebraska. (R-06-0051)**

The Clerk indicated the item should read as follows: "A resolution denying the vacation of South 162nd Street located in the Southwest Quarter of Section 26, Township 9 North, Range 8 East of the 6th P.m., Lancaster County, Nebraska".

MOTION: Stevens moved and Heier seconded approval of Resolution 06-0051 denying the vacation of South 162nd Street located in the Southwest Quarter of Section 26, Township 9 North, Range 8 East of the 6th P.m., Lancaster County, Nebraska. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

- D. Agreements with the following facilities to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreements set forth a reimbursement arrangement in which the County will provide payment for the medical care and the facilities will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreements are effective upon execution of both parties and contains a 30-day termination provision.**

6) **NEW BUSINESS CONTINUED:**

Anesthesia West (C-06-0188)	Lincoln Family Wellness, P.C. (C-06-0194)
Associated Ear, Nose & Throat Physicians, P.C. (C-06-0189)	Neurology Associates, P.C. (C-06-0195)
Cornhusker Chiropractic, P.C. (C-06-0190)	Snyder Physical Therapy, P.C. (C-06-0196)
Randall Dotson, M.D. (C-06-0191)	Wayne V. Videtich (C-06-0197)
ENT Medicine & Surgery (C-06-0192)	George J. Wolcott, M.D. (C-06-0198)
Family Health Associates, L.L.C. (C-06-0193)	

MOTION: Stevens moved and Heier seconded approval of agreements with Anesthesia West, Associated Ear, Nose & Throat Physicians, P.C., Cornhusker Chiropractic, P.C., Randall Dotson, M.D., ENT Medicine & Surgery, Family Health Associates, L.L.C., Lincoln Family Wellness, P.C., Neurology Associates, P.C., Snyder Physical Therapy, P.C., Wayne V. Videtich and George J. Wolcott, M.D. to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. Heier, Stevens, Workman and Schorr voted aye. Motion carried.

E. A licensing agreement with Swank Motion Pictures, Inc. for showing video cassette movies at the Lancaster County Youth Services Center. Term of the agreement is from July 1, 2006 through June 30, 2007. The County will pay \$250 for the license. (C-06-0199)

MOTION: Workman moved and Stevens seconded approval of a licensing agreement with Swank Motion Pictures, Inc. for showing video cassette movies at the Lancaster County Youth Services Center. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

F. An agreement between Parallels and Lancaster County, on behalf of the Lancaster County Adult Drug Court, for substance use evaluation services for persons placed in the Adult Drug Court. The agreement is effective upon execution by both parties and will continue through June 30, 2007. The County will pay \$150 per evaluation. (C-06-0200)

MOTION: Stevens moved and Heier seconded approval of an agreement between Parallels and Lancaster County, on behalf of the Lancaster County Adult Drug Court, for substance use evaluation services for persons placed in the Adult Drug Court subject to receipt of a revised certificate of insurance acceptable to the County Attorney's Office. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

G. A license agreement with Global Software, Inc. for a spreadsheet server for J.D. Edwards to be utilized by the Lancaster County Treasurer's Office. The agreement is effective upon execution by both parties and will remain in full force and effect unless terminated by either party. The County will pay \$9,000 for the license. (C-06-0201)

MOTION: Workman moved and Stevens seconded approval of a license agreement with Global Software, Inc. for a spreadsheet server for J.D. Edwards to be utilized by the Lancaster County Treasurer's Office. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

H. Recommendation from the Purchasing Agent and the Bid Review Committee to ratify contracts with the following vendors for the listed unit price for Lancaster County, the City of Lincoln and the Public Building Commission in relation to small emergency and routine maintenance and repair of facilities (under \$25,000), beginning May 1, 2006 through April 30, 2007 with an option to renew for two additional one year periods:

Fencing Services

American Fence Company, Inc. (C-06-0206)

Painting Services

Dickey & Burham, Inc. (C-06-0202)

HVAC Services

Capitol Heating & Air Conditioning (C-06-0205)

Johnson Controls d/b/a Natkin Service

Company (C-06-0203)

John Henry's Plumbing & HVAC (C-06-0204)

Roofing Services

McKinnis Roofing & Sheet Metal, Inc.

(C-06-0207)

Sprague Roofing Company (C-06-0208)

MOTION: Stevens moved and Workman seconded approval of contracts in relation to small emergency and routine maintenance and repair of facilities (under \$25,000), beginning May 1, 2006 through April 30, 2007 with an option to renew for two additional one year periods as recommended by the Purchasing Agent and the Bid Review Committee. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

- I. **An affiliation agreement with the Board of Regents of the University of Nebraska, on behalf of the Clinical Psychology Training Program, for four graduate psychology students who will provide services such as psychotherapy, counseling and psychological testing for the Community Mental Health Center. Term of the agreement is June 1, 2006 to May 31, 2007. The County will pay \$60,472 for these services. (C-06-0209)**

MOTION: Heier moved and Workman seconded approval of an affiliation agreement with the Board of Regents of the University of Nebraska, on behalf of the Clinical Psychology Training Program, for four graduate psychology students who will provide services such as psychotherapy, counseling and psychological testing for the Community Mental Health Center. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

- J. **An amendment to an agreement with Susan Ugai, under County Contract No. C-03-0314, for legal representation to indigent parties facing contempt of court proceedings for failure to pay child support and in civil actions to establish paternity and determine child and medical support under Neb. Rev. Stat. § 43-512.03. The amendment extends the term of the agreement for one month, from June 30, 2006 to July 31, 2006, and provides compensation in the amount of \$5,600 for the one month extension period. (C-06-0187)**

MOTION: Stevens moved and Heier seconded approval of an amendment to an agreement with Susan Ugai, under County Contract No. C-03-0314, for legal representation to indigent parties facing contempt of court proceedings for failure to pay child support and in civil actions to establish paternity and determine child and medical support under Neb. Rev. Stat. § 43-512.03. Workman, Heier, Stevens and Schorr voted aye. Motion carried.

- K. **Recommendation from the Purchasing Agent and the Lancaster County Engineer to award a bid to White Glove Janitorial, Inc., in the amount of \$10,920, for cleaning services for the Westgate office and shop facilities. (B-06-0023)**

6) **NEW BUSINESS CONTINUED:**

MOTION: Heier moved and Stevens seconded approval to award a bid to White Glove Janitorial, Inc., in the amount of \$10,920, for cleaning services for the Westgate office and shop facilities as recommended by the Purchasing Agent and the County Engineer. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

L. A political subdivision tort claim filed against Corrections by Tony Bozman for lost property, in the amount of \$6.99.

MOTION: Heier moved and Workman seconded to accept the recommendation of the Corrections Director and deny the political subdivision tort claim filed against Corrections by Tony Bozman for lost property, in the amount of \$6.99. Stevens, Workman, Heier and Schorr voted aye. Motion carried.

M. A political subdivision tort claim filed against Corrections by Rudy Rosales for damaged property, in the amount of \$31.

MOTION: Stevens moved and Workman seconded to accept the recommendation of the Corrections Director and deny the political subdivision tort claim filed against Corrections by Rudy Rosales for damaged property, in the amount of \$31. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

N. A political subdivision tort claim filed against Corrections by Kevin West for lost property, in the amount of \$11.

MOTION: Workman moved and Heier seconded to accept the recommendation of the Corrections Director and deny the political subdivision tort claim filed against Corrections by Kevin West for lost property, in the amount of \$11. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

7) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

7) **CONSENT ITEMS CONTINUED:**

A. Receive and Place on File:

1. Noxious Weed Control Authority's Monthly Report for April, 2006.
2. Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for April, 2006.
3. Records and Information Management's Monthly Report for April, 2006.

B. Setting of a public hearing for Tuesday, May 30, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Special Permit No. 06017, Meadowlark Hills Community Unit Plan, requested by Meadowlark Enterprises, L.L.C., for authority to develop 12 residential acreage units on property generally located west of the intersection of South 25th Street and Martell Road, Lancaster County, Nebraska.

MOTION: Stevens moved and Heier seconded approval of the Consent Items. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

8) **OTHER BUSINESS:**

The following individuals addressed the County Board regarding concerns in relation to the Board's decision to cut funding of the Lincoln Lancaster Women's Commission:

- ▶ Kaci Lynch, 6421 Holdrege Street, Lincoln, Nebraska
- ▶ Joyce E. Perey, Lincoln, Nebraska
- ▶ Morgan Beal, 2644 North 48th Street, Lincoln, Nebraska
- ▶ Jennifer A. Gutierrez, Lincoln, Nebraska

Bonnie Coffey, Women's Commission Manager, read a letter, dated May 16, 2006, from Tami C. Soper, President of the Lincoln Lancaster Women's Commission into the record (Exhibit 1).

10) **ADJOURNMENT:**

MOTION: Stevens moved and Workman seconded adjournment of the Board of Commissioners meeting at 3:05 p.m.. Heier, Workman, Stevens and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MEETING
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 16, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Ray Stevens

Commissioners Absent: Larry Hudkins

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Patricia Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 3:05 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 9, 2006.**

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Equalization meeting held on May 9, 2006. Stevens, Workman and Heier voted aye. Schorr abstained from voting. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 108 additions and deductions to the tax assessment rolls per Attachment "A".

MOTION: Stevens moved and Workman seconded approval of the additions and deductions to the tax assessment rolls. Workman, Heier, Stevens and Schorr voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**Christian Church (Disciples of Christ) in Nebraska
Sesostris Shrine**

MOTION: Stevens moved and Heier seconded approval of the motor vehicle tax exemptions. Workman, Stevens, Heier and Schorr voted aye. Motion carried.

4) **2006 REAPPRAISAL VALUE CORRECTIONS PER ATTACHMENT "B":**

Norm Agena, County Assessor/Register of Deeds, gave a brief overview of the corrections.

MOTION: Stevens moved and Heier seconded approval of the 2006 reappraisal value corrections per attachment "B". Workman, Stevens, Heier and Schorr voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Stevens moved and Workman seconded adjournment of the Board of Equalization meeting at 3:10 p.m.. Stevens, Heier, Workman and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk